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SENATE

{ REPORT  
No. 1913

## GEORGE M. SANGER

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JUNE 27, 1952.—Ordered to be printed

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Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany H. R. 2447]

The Committee on the Judiciary, to which was referred the bill (H. R. 2447) for the relief of George M. Sanger, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to George M. Sanger. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

#### STATEMENT OF FACTS

The beneficiary of the bill is a naturalized citizen of Canada who was born in Berlin, Germany, on July 24, 1923. He originally entered the United States in 1946 for permanent residence as a quota immigrant. He returned to Canada where he was naturalized in 1947. He last entered the United States on June 30, 1948, and has remained here since that time. He obtained his medical degree in Canada and is presently a resident in surgery at a hospital in New Haven, Conn.

A letter dated April 4, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

APRIL 4, 1951.

Hon. EMANUEL CELLER,  
*Chairman, Committee on the Judiciary,*  
*House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 2447) for the relief of George M. Sanger, an alien.

The bill would provide that George M. Sanger, who arrived in the United States from Canada in April 1947 shall, upon the payment of the required head tax, be considered to have been lawfully admitted to the United States.

The files of the Immigration and Naturalization Service of this Department disclose that the alien is a naturalized citizen of Canada who was born in Berlin, Germany, on July 24, 1923. He first entered the United States at the port of New York on June 5, 1946, in possession of a quota immigration visa. After a period of 10 days he returned to Canada where he remained until April 3, 1947, at which time he reentered this country in possession of a reentry permit. Three days subsequent to his second entry the alien returned to Canada where, on May 28, 1947, he was naturalized as a Canadian citizen. Mr. Sanger secured revalidations of his border-crossing card and returned to the United States for three visits, one in October 1947, one in November 1947, and one in March 1948. On June 30, 1948, he reentered the United States and has resided here continuously since that time with the exception of a few short visits to Canada.

According to statements of the alien, he resided in Germany until he was 13 years of age, in Great Britain until July 1940, and in Canada from 1940 to June 1946. It appears that Mr. Sanger applied for naturalization as a Canadian citizen, filing his declaration of intention in December 1944, and that sometime subsequent to that date he applied to an American consul for a visa to enter the United States for permanent residence. Upon obtaining the visa he entered the United States for permanent residence as indicated above. He stated that he returned to Canada after his original entry to accept an appointment as an intern at Wellesley Hospital, Toronto, Canada. He completed his internship in Toronto in June 1947 and immediately entered upon a resident physician's status at the Wellesley Hospital. Upon reentering the United States on June 30, 1948, he worked as a resident in pathology at the Bingham-Rockefeller Associates Laboratories in Holyoke, Mass. He is presently a second-year resident in surgery at the Grace New Haven Community Hospital in New Haven, Conn. His appointment to that hospital extends through June 30, 1951.

The files of the Committee on the Judiciary of the House of Representatives contain the following information submitted by the father of the beneficiary of the bill:

We are Jews from Germany and left that country because of Nazi persecution. In 1937, in order to give our boy a decent education, we had to part with our only child when he was only 13 years old, and send him to Scotland.

In July 1939 I, myself, and my wife received permit to enter English territory on account of having filed visa application for emigration to the United States.

Unfortunately war broke out and subsequently in May 1940 our son then 16 years old, at that time a student at Aberdeen University in Scotland, was interned as so-called enemy alien. Few weeks later he was deported, together with a ship load of Nazi criminals and prisoners of war to Canada. There, somewhere in New Brunswick forests the was kept as prisoner for 1½ years, occupied with felling trees and work much too heavy for a boy of that age.

Meantime in November 1940 our immigration quota number came up and I and my wife were happy to enter the United States of America. As our son was included in our visa application, would have come with us as a member of the family, had he not been deported to Canada. Immediately after our arrival we tried very hard to get our son at least out of these evil surroundings and at long last we succeeded when new Canadian regulations released students only to continue their studies (yet still remaining at prisoner-of-war status).

We were fortunate to find someone in Canada to vouch for the boy, as it was the rule and friends here in the States granted a loan to pay for fees and other expenses. George succeeded to enter Toronto University Medical School and graduated from there in February 1946.

Meantime he applied for Canadian citizenship in order to be able to volunteer for the army, which he did twice, but was rejected for physical reasons. After the war, and because he is our only child we wanted to have him in the United

States, he filed an application for an immigration visa when he finished studies. This visa was granted and he entered this country legally.

Presently he was trying to find a hospital for internship but at that time it was nearly impossible for him to succeed. Having all his connections in Toronto he found an opening in Wellesley Hospital, Toronto, for internship.

With permit of the Immigration Department of the United States he went to Canada and obtained renewal of the permit after expiration.

At that time Canadian citizenship was granted, and evidently the boy inexperienced as he was, being occupied with his studies all these years, was unaware of the regulations and the consequences. Here seems to be the mistake as the Immigration Department sees it. When he finished his internship he came back to the States and applied for first papers to become an American citizen. At that occasion the Immigration Department found a discrepancy and started investigation. A friend of my son whom he told his mishap called upon Congressman Furcolo, of Springfield, Mass., and he presented a bill to Congress for reinstatement of legal entry.

On grounds of these facts I respectfully plead to consider this a hardship case. Furthermore all time, effort, and money spent will be lost, as there are only 1½ years' training left to sit his board exams. And even for me and my wife's sake I plead hardship, because I will be 70 years old next year, and having had a severe heart attack last spring, doctors advise me to slow down with working. Eventually we will depend on the support of our son, and I and my wife would be in desperate situation if our son is compelled to leave this country where meantime he was able to build up his connections for the continuance of his profession.

The record indicates that the alien did not abandon his application for Canadian citizenship when he secured his immigration visa to come to the United States. He stated that during the entire period from June 1946 until May 1947 he had never abandoned his intention to become a naturalized Canadian citizen. He also alleged that in response to the question by the Canadian naturalization examiner as to his residence, he replied, "Wellesley Hospital, Toronto." He attempted to explain his actions by stating that in his profession a man must go where the opportunities present themselves and that he is still in a state of uncertainty as to where his permanent residence and abode will be. Part II, section 10 (1) of the Canadian Citizenship Act which became effective January 1, 1947, provides in effect that the Minister may grant a certificate of Canadian citizenship to an alien who satisfies the court that he has been legally admitted to Canada for permanent residence therein and intends, if his application is granted either to reside permanently in Canada or to enter or continue in the public service of Canada or of a Province thereof.

The alien is chargeable to the German quota which is oversubscribed and an immigration visa is not readily obtainable. Although Mr. Sanger acquired permanent residence status in the United States by virtue of his admission into this country with a quota immigration visa on June 5, 1946, he lost such permanent status by his subsequent naturalization as a Canadian citizen on May 28, 1947. Therefore, he is illegally residing in the United States and should be required to depart to Canada or to some other country and there apply for an immigration visa in due course if he desires to obtain admission into the United States for permanent residence.

Accordingly, the Department of Justice is unable to recommend enactment of the measure.

Yours sincerely,

PEYTON FORD,  
*Deputy Attorney General.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 2447) should be enacted.

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